

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Troy Kelvin Williams, #12758-171,)	
)	C.A. No. 3:10-42-MBS
Plaintiff,)	
)	
vs.)	
)	ORDER
)	
Lt. Carter, and Sgt. Lacount,)	
)	
)	
Defendants.)	

Plaintiff Troy Kevin Williams, proceeding *pro se*, filed the within action pursuant to 42 U.S.C. § 1983 on January 11, 2010 against the Darlington County Detention Center (“DCDC”), Lieutenant Carter (“Carter”), Sergeant Lacount (“Lacount”), and the “Medical Staff” seeking damages for medical bills, and pain and suffering related to medical treatment he received while at DCDC. Plaintiff is now housed at Butner Federal Correctional Institution. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Joseph R. McCorery for pretrial handling. On January 22, 2010, Plaintiff was granted leave to proceed *in forma pauperis*. On April 16, 2010, the Magistrate Judge authorized service of process as to defendants Carter and Lacount. On May 10, 2010, the court dismissed DCDC and Medical staff as defendants in this case.

This matter is before the court on a motion for summary judgment filed by Carter and Lacount on December 29, 2010. Pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the court issued an order on January 6, 2011, advising Plaintiff of the procedure for motions for summary judgment and the possible consequences if he failed to respond adequately. Plaintiff filed a response

in opposition to the motion for summary judgment on February 7, 2011. On March 28, 2011, Plaintiff filed an additional response. On June 29, 2011, the Magistrate Judge issued a Report and Recommendation recommending that the motion for summary judgment be granted. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The court is charged with making a *de novo* determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

The court has carefully reviewed the record. The court adopts the Report and Recommendation and incorporates it herein by reference. Accordingly, the motion for summary judgment (Entry 47) is granted.

IT IS SO ORDERED.

s/ Margaret B. Seymour
United States District Judge

Columbia, South Carolina
August 9, 2011